

**IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

Kal Freight Inc., *et al.*,

Debtors.¹

Chapter 11

Case No. 24-90614 (CML)

(Jointly Administered)

***SECOND AMENDED² AGENDA FOR HEARING SCHEDULED FOR
APRIL 10, 2025, AT 1:00 P.M. (PREVAILING CENTRAL TIME)***

The above-referenced debtors and debtors in possession (collectively, the “Debtors”) file this Agenda for the status conference and hearing scheduled for April 10, 2025, at 1:00 p.m. (prevailing Central Time) (the “Hearing”) before the Honorable Christopher M. Lopez of the United States Bankruptcy Court for the Southern District of Texas:

A. MATTERS GOING FORWARD

1. ***Modified Fourth Amended and Restated Combined Disclosure Statement and Plan of Liquidation of Kal Freight Inc. and Its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Docket No. 982].***

Response Deadline: April 4, 2025 at 4:00 p.m. (CT). The response deadline was extended to (i) April 5, 2025 at 12:00 p.m. ET for the Chubb Companies and the Participating Lenders; and (ii) April 7, 2025 at 12:00 p.m. ET for the Official Committee of Unsecured Creditors and FRIND-Aerotropolis, LLC.

Responses Received:

- (a) The Debtors have received informal responses from the following:
 - (i) The Official Committee of Unsecured Creditors - Resolved.
 - (ii) Banc of America Leasing and Capital, LLC - Resolved.
 - (iii) Department of Justice, Environmental Protection Agency - Resolved.
 - (iv) Participating Lenders

¹ The Debtors in these Chapter 11 Cases, along with the last four digits of each Debtor’s federal tax identification numbers, are: KAL Freight Inc. (0249); KAL Aviation LLC (2600); KAL Partz Inc. (0139); KAL Trailers & Leasing Inc. (0840); and KVL Tires Inc. (0320). The location of the Debtors’ service address in these Chapter 11 cases is 10156 Live Oak Ave., Fontana, CA 92335.

² Amended items appear in **bold**.

- (v) Webster Capital Finance, a division of Webster Bank, N.A. (as assignee of JPMorgan Chase, Bank, N.A.) - Resolved.
- (b) Objection of Mitsubishi HC Capital Canada, Inc, Truist Equipment Finance Corp., and Fifth Third Bank, N.A. to the Combined Disclosure Statement and Plan of Liquidation of Kal Freight Inc. and its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Docket No. 574] – **Resolved.**
- (c) Preliminary Objection of Vanguard National Trailer Corporation and CIMC Reefer Trailer, Inc. to the Combined Disclosure Statement and Plan of Liquidation of Kal Freight Inc. and its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Docket No. 578] - Resolved.
- (d) New Hope Venture, LLC’s Joinder to Preliminary Objection of Vanguard National Trailer Corporation and CIMC Reefer Trailer, Inc. to the Combined Disclosure Statement and Plan of Liquidation of Kal Freight Inc. and its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Docket No. 590] - Resolved.
- (e) Joinder of Triumph Commercial Finance LLC and TBK Bank, SSB to Objections to the Combined Disclosure Statement and Plan of Liquidation of Kal Freight Inc. and its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Docket No. 591].
- (f) MODE Transportation, LLC’s Objection to the Debtors’ Combined Disclosure Statement and Plan of Liquidation of Kal Freight Inc. and its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Docket No. 603] - Resolved.
- (g) Tennessee Department of Revenue’s Objection to Confirmation of the Chapter 11 Plan [Docket No. 856] - Resolved.
- (h) Objection of the United States Trustee to the Third Amended and Restated Combined Disclosure Statement and Plan of Liquidation of Kal Freight Inc. and Its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Docket No. 896].
- (i) Joint Limited Objection of the Texas Taxing Authorities to the Third Amended and Restated Combined Disclosure Statement and Plan of Liquidation of Kal Freight Inc. and Its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Docket No. 897] - Resolved.
- (j) Limited Objection to Confirmation of Plan [Docket #834] of Theresa Grote, as Administrator of the Estate of Karen E. Bucklew and Kelley Jo Speicher, as Administrator of the Estate of Tommy Yaqub [Docket No. 899] - Resolved.
- (k) Limited Objection to Confirmation of Plan [Docket #834] of Theresa Grote, as Administrator of the Estate of Karen E. Bucklew and Kelley Jo Speicher, as Administrator of the Estate of Tommy Yaqub [Docket No. 900] - Resolved.
- (l) Jarvis Reynard Edwards’ Limited objection to the Third Amended and Restated Combined Disclosure Statement and Plan of Liquidation of Kal Freight Inc. and Its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Docket No. 901] - Resolved.

- (m) Objection of the Chubb Companies to Third Amended and Restated Combined Disclosure Statement and Plan of Liquidation of Kal Freight Inc. and Its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Docket No. 902].
- (n) U.S. Bank National Association d/b/a U.S. Bank Equipment Finance's Limited Objection to Debtors' Third Amended and Restated Combined Disclosure Statement and Plan of Liquidation of Kal Freight Inc. and Its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Docket No. 903].
- (o) Objection of Mitsubishi HC Capital Canada, Inc., Truist Equipment Finance Corporation, De Lage Landen Financial Services, LLC, and Fifth Third Bank, N.A. to Final Approval and Confirmation of Debtors' Third Amended and Restated Combined Disclosure Statement and Plan of Liquidation [Docket No. 904] – **Resolved.**
- (p) PACCAR Financial Corp.'s Joinder to Mitsubishi HC Capital Canada, Inc., Truist Equipment Finance Corporation, De Lage Landen Financial Services, LLC, and Fifth Third Bank, N.A. to Final Approval and Confirmation of Debtors' Third Amended and Restated Combined Disclosure Statement and Plan of Liquidation [Docket No. 909].
- (q) TBK Bank, SSB's Limited Objection to Debtors' Third Amended and Restated Combined Disclosure Statement and Plan of Liquidation [Docket No. 911].
- (r) Daimler Truck Financial Services USA, LLC's Limited Objection to Debtors' Third Amended and Restated Combined Disclosure Statement and Plan of Liquidation [Docket No. 913].
- (s) Objection and Reservation of Rights of FRIND-Aerotropolis, LLC, to Confirmation of Third Amended and Restated Combined Disclosure Statement and Plan of Liquidation of Kal Freight Inc. and Its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Docket No. 928].

Replies: **The Official Unsecured Creditors' Committee's Reply to Objection of Mitsubishi HC Capital Canada Inc., Truist Equipment Finance Corp., De Lage Landen Financial Services, LLC and Fifth Third Bank, N.A. to Final Approval and Confirmation of Debtors' Third Amended and Restated Combined Disclosure Statement and Plan of Liquidation [Docket no. 973].**

Status: The matter is going forward.

B. RELATED DOCUMENTS

- (a) Order (I) Granting Interim Approval of the Adequacy of Disclosures in the Combined Plan and Disclosure Statement; (II) Scheduling a Combined Confirmation Hearing and Setting Deadlines Related Thereto; (III) Approving Solicitation Packages and Procedures; (IV) Approving the Forms of Ballots; and (V) Granting Relief [Docket No. 783].

- (b) Notice of (I) Interim Approval of Disclosures; (II) Hearing To Consider Confirmation of the Plan; (III) Deadline for Filing Objections to Confirmation of the Plan and Final Approval of the Disclosures; (IV) Deadline for Voting on the Plan; and (V) Bar Date for Filing Administrative Claims Established by the Plan [Docket No. 785].
- (c) Third Amended and Restated Combined Disclosure Statement and Plan of Liquidation [Docket No. 845].
- (d) Certificate of Service [Customized] Proof of Claim Form and Official Form 410 Instructions for Proof of Claim (Substantively in the Form of Exhibit 1 of Docket No. 533), Notice of Deadlines for the Filing of (I) Proofs of Claim, Including Requests for Payment Pursuant to Section 503(b)(9) of the Bankruptcy Code (Docket No. 772), Second Amended and Restated Combined Disclosure Statement and Plan of Liquidation of Kal Freight Inc. And Its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code (Docket No. 777), Order (I) Granting Interim Approval of the Adequacy of Disclosures in the Combined Plan and Disclosure Statement; (II) Scheduling a Combined Confirmation Hearing and Setting Deadlines Related Thereto; (III) Approving Solicitation Packages and Procedures; (IV) Approving the Forms of Ballots; and (V) Granting Related Relief (Docket No. 783, Pages 1-11), Class 2 (Other Secured Claims) Ballot for Voting to Accept or Reject the Second Amended and Restated Combined Disclosure Statement and Plan of Liquidation of Kal Freight Inc. and Its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code (Substantively in the Form of Exhibit B-1 of Docket No. 783), Class 3 (General Unsecured Claims) Ballot for Voting to Accept or Reject the Second Amended and Restated Combined Disclosure Statement and Plan of Liquidation of Kal Freight Inc. and Its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code (Substantively in the Form of Exhibit B-2 of Docket No. 783), Notice of (I) Interim Approval of Disclosures; (II) Hearing to Consider Confirmation of the Plan; (III) Deadline for Filing Objections to Confirmation of the Plan and Final Approval of the Disclosures; (IV) Deadline for Voting on the Plan; and (V) Bar Date for Filing Administrative Claims Established by the Plan (Docket No. 785), Pre-addressed, postage prepaid reply envelope (the “Solicitation Package”) [Docket No. 847]
- (e) Supplemental Certificate of Service of Solicitation Package [Docket No. 880].
- (f) Debtors’ Notice of Intent to Adduce Testimony from a Remote Location by Telephone and Video Technology [Docket No. 894].
- (g) Supplemental Certificate of Service of Solicitation Package [Docket No. 910].
- (h) The Official Unsecured Creditors’ Committee’s Notice of Intent to Adduce Testimony from a Remote Location by Telephone and Video Technology [Docket No. 922].
- (i) [Signed] Stipulation and Agreed Order Allowing Administrative Expense Claim of FRIND-Aerotropolis, LLC [Docket No. 929].

- (j) [Signed] Stipulation and Agreed order by and Among the Debtors and Mode Transportation, LLC [Docket No. 930].
- (k) Certificate of Service Supplemental re: Order Granting Complex Case Treatment (Docket No. 29), Notice of Chapter 11 Bankruptcy Cases (Docket No. 57, Pages 5-7), [Customized] Proof of Claim Form and Official Form 410 Instructions for Proof of Claim (Substantively in the Form of Exhibit 1 of Docket No. 533), Notice of Deadlines for the Filing of (I) Proofs of Claim, Including Requests for Payment Pursuant to Section 503(b)(9) of the Bankruptcy Code (Docket No. 772), Second Amended and Restated Combined Disclosure Statement and Plan of Liquidation of Kal Freight Inc. And Its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code (Docket No. 777), Order (I) Granting Interim Approval of the Adequacy of Disclosures in the Combined Plan and Disclosure Statement; (II) Scheduling a Combined Confirmation Hearing and Setting Deadlines Related Thereto; (III) Approving Solicitation Packages and Procedures; (IV) Approving the Forms of Ballots; and (V) Granting Related Relief (Docket No. 783, Pages 1-11), Notice of (I) Non-Voting Status Due to Non-Impairment, (II) Interim Approval of Disclosures, (III) Hearing to Consider Confirmation of the Plan, (IV) Deadline for Filing Objections to Confirmation of the Plan, and (V) Bar Date for Filing Administrative Claims Established by the Plan (Substantively in the Form of Exhibit C of Docket No. 783), Class 3 (General Unsecured Claims) Ballot for Voting to Accept or Reject the Second Amended and Restated Combined Disclosure Statement and Plan of Liquidation of Kal Freight Inc. and Its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code (Substantively in the Form of Exhibit B-2 of Docket No. 783), Notice of (I) Interim Approval of Disclosures; (II) Hearing to Consider Confirmation of the Plan; (III) Deadline for Filing Objections to Confirmation of the Plan and Final Approval of the Disclosures; (IV) Deadline for Voting on the Plan; and (V) Bar Date for Filing Administrative Claims Established by the Plan (Docket No. 785) (Filed By Stretto).(Related document(s):[29] Generic Order, [57] Order on Emergency Motion, [533] Order on Emergency Motion, [772] Notice, [777] Amended Chapter 11 Plan, [783] Order on Emergency Motion, [785] Notice) [Docket No. 935].
- (l) Declaration of Angela Tsai of Stretto, Inc. Regarding the Solicitation and Tabulation of Ballots Cast on the Third Amended and Restated Combined Disclosure Statement and Plan of Liquidation of Kal Freight Inc. and Its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Docket No. 938].
- (m) Declaration of Bradley D. Sharp in Support of Final Approval of Disclosure Statement and Confirmation of Plan of Liquidation of Kal Freight Inc. and Its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Docket No. 941].
- (n) U.S. Trustee's Notice of Intent to Adduce Testimony from a Remote Location by Telephone and Video Technology [Docket No. 942].
- (o) U.S. Trustee's Witness & Exhibit List [Docket No. 943].

- (p) Debtors' Witness and Exhibit List [Docket No. 944].
- (q) Jarvis Reynard Edwards Witness and Exhibit List [Docket No. 945].
- (r) TBK Bank SSB Witness and Exhibit List [Docket No. 946].
- (s) De Lage Landen Financial Services, Inc., Fifth Third Bank, N.A., Mitsubishi HC Capital Canada, Inc, Truist Equipment Finance Corp. Witness List [Docket No. 947].
- (t) Official Committee of Unsecured Creditors Witness and Exhibit List [Docket No. 948].
- (u) [Signed] Stipulation and Agreed Order for Plan Treatment of JPMorgan Chase Bank [Docket No. 950].
- (v) **Fourth Amended and Restated Combined Disclosure Statement and Plan of Liquidation of Kal Freight Inc. and Its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Docket No. 955].**
- (w) Notice of Filing Plan Supplement for the Fourth Amended and Restated Combined Disclosure Statement and Plan of Liquidation of Kal Freight Inc. and Its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Docket No. 956].
- (x) [Proposed] Order Granting Final Approval of Disclosure Statement and Confirmation of Plan of Liquidation of Kal Freight Inc. and Its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Docket No. 958].
- (y) Memorandum of Law in Support of Final Approval of Disclosure Statement and Confirmation of Plan of Liquidation of Kal Freight Inc. and Its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Docket No. 960].
- (z) Theresa Grote's Exhibit List [Docket No. 962].
- (aa) Kelly Jo Speicher Exhibit List [Docket No. 963].
- (bb) **Notice of Supplement to Official Unsecured Creditors' Committee's Witness & Exhibit List for Hearing on April 10, 2025, at 1:00 P.M. [Docket No. 974]**
- (cc) Amended Declaration of Angela Tsai of Stretto, Inc. Regarding the Solicitation and Tabulation of Ballots Cast on the Third Amended and Restated Combined Disclosure Statement and Plan of Liquidation of Kal Freight Inc. and Its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Docket No. 976].
- (dd) Debtors' Amended Witness & Exhibit List [Docket No. 977].

(ee) **[Proposed] Order Granting Final Approval of Disclosure Statement and Confirmation of Plan of Liquidation of Kal Freight Inc. and Its Affiliated Debtors Under Chapter 11 of the Bankruptcy Code [Docket No. 983].**

2. *Emergency Motion of Debtors for Entry of an Order (I) Authorizing the Sale of 2022 Rolls Royce Phantom and (II) Granting Related Relief [Docket No. 939].*

Response Deadline: At the time of Hearing.

Responses Received: The Debtors received an informal comment from the Official Committee of Unsecured Creditors (the “Committee”) which was resolved pursuant to the revised proposed order at Docket No. 969, and the Committee is supportive of the Motion in light of the resolution.

Related Documents: None.

Status: The matter is going forward.

3. *Emergency Motion of Debtors for Entry of an Order (I) Authorizing the Sale of Certain Trucks and Dry Van Trailers and (II) Granting Related Relief [Docket No. 940].*

Response Deadline: At the time of Hearing.

Responses Received: The Debtors received an informal comment from the Committee which was resolved pursuant to the revised proposed order at Docket No. 970, and the Committee is supportive of the Motion in light of the resolution.

Related Documents: None.

Status: The matter is going forward.

Dated: April 10, 2025

PACHULSKI STANG ZIEHL & JONES LLP

/s/ Teddy M. Kapur

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Counsel to the Debtors and Debtors in Possession

Certificate of Service

I certify that on April 10, 2025, I caused a copy of the foregoing document to be served via the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Teddy M. Kapur

Teddy M. Kapur